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EXAMINER

THAI, HANH B

ART UNIT

PAPER NUMBER

2171

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/733,274

Applicant(s)

TRIBBENSEE, BRUCE

Examiner

Hanh B Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on amendment filed February 9, 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 24-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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This is in response to the Request for Continued Examination filed February 9, 2004.

### **DETAILED ACTION**

#### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "345" has been used to designate both "parser" and "keyword list" in Fig.3. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 47-48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the "keyword user-customizable" is not discussed in the Specification. Therefore, the limitation cannot be ascertained.

Claims 53-56 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, it is not understood how the "message unit" to "add additional information to the request message". Therefore, the limitation cannot be ascertained.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Davis et al. (U. S. Patent no. 6,330,537).

Regarding claim 24, Davis discloses a messaging system comprising:

- A user interface to receive a user input including a message, the message to request one or more actions to be taken by the system (see col.1, lines 59-62, Davis).
- A parser to detect one or more keywords in the message, the keywords to identify the specific action to be taken by the system in response to the request (see co. 1, line 67 to col. 2, line 4, Davis).
- Davis does not explicitly disclose the “message unit” and “communication unit”. But Davis discloses the dialog manager where the request and response are exchanged between the user and the system (see col. 2, lines 51-65, Davis). Therefore, the “message unit” and the “communication unit” have to be presented in the system of Davis to enable such exchange.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-46 47-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (US Patent no. 6,330,537) in view of Appelt et al. (US Patent no. 6,601,026).

Regarding claim 24, Davis discloses a messaging system comprising:

- A user interface to receive a user input including a message, the message to request one or more actions to be taken by the system (see col.1, lines 59-62, Davis).
- A parser to detect one or more keywords in the message, the keywords to identify the specific action to be taken by the system in response to the request (see co. 1, line 67 to col. 2, line 4, Davis).

Davis, however, does not explicitly disclose the “message unit” and “communication unit”. Appelt, on the other hand, discloses a natural language information querying system that perform the topical searches beyond the exact words entered by the user (see col. 3, lines 47-56, Appelt) which corresponds to the message unit. In light of the Specification on page 9, “a message unit to assemble a request message” reads on the fact that the keywords or words input by the user input are used to form the request. Therefore, Appelt discloses the message unit base

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on the definition of the invention. Appelt further discloses a communication engine (112, Fig. 1, Appelt) corresponds to the communication unit.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Davis as taught by Appelt to include the “message unit” and “communication unit” because it would provide an accurate and efficient search engine to support complex types of input queries (see col.3, lines 58-62, Appelt).

Regarding claim 25, Davis/Appelt combination further discloses that the user input comprises a text input mechanism (see col.4, lines 20-31, Davis).

Regarding claim 26, Davis/Appelt combination further discloses that the user input comprise a speech input mechanism (see col.1, lines 59-62, Davis).

Regarding claim 27, Davis/Appelt combination further discloses the receiving a formatted response to the request message, and the user interface further presents requested results and information to the user (see col. 11, lines 26-37, steps 406, 408 and corresponding text, Appelt).

Regarding claim 28, Davis/Appelt combination further discloses the providing feedback to the user upon detection of the one or more keywords, indicating that an action will be taken in response to the keywords (see co. 1, line 67 to col. 2, line 4, Davis).

Regarding claims 29-30, Davis/Appelt combination further discloses that the feedback is provided immediately when a keyword is entered and after the message request is dispatched (see col. 5, lines 4-17, Davis).

Regarding claim 31, Davis/Appelt combination further discloses that the user interface to prompt the user as to the specific action to be taken in response to the keyword detected in the message (see co. 1, line 67 to col. 2, line 4, Davis).

Regarding claim 32, Davis/Appelt combination further discloses that the user enters information in a predefined format for inclusion in the user-supplied text (see col.5, lines 14-20, Appelt).

Regarding claims 33-34, Davis/Appelt combination further discloses the specific fields when multi-field data is to be included in the request (see col. 11, 14-25, Fig.7 and corresponding text, Appelt).

Regarding claim 35, Davis/Appelt combination further discloses that some of the message entered by the user, other information extracted from the user's system, and context information obtained from the client portion of the system (see col.10, lines 21-29, Appelt).

Regarding claim 36, Davis/Appelt combination further discloses a message receiving unit to receive the request message from a client system and action logic to execute one or more actions triggered by the keywords in the request message (see col.10, line 67 to col.11, line 13, Appelt).

Regarding claim 37, Davis/Appelt combination further discloses the message enter by the user, additional message content data in pre-stored connector files, additional information extracted from the user's system and context data (see col.10, lines 21-29, Appelt).

Regarding claim 38, Davis/Appelt combination further discloses the user request is received as a text message (see col.4, lines 20-31, Davis).

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Regarding claim 39, Davis/Appelt combination further discloses that the action logic executes one or more of the following actions: posting information to a database, querying a database, querying a web page, combining fetched information with data contained in the message received from the user's system, and depositing the result into one or more destinations (see col. 11, lines 14-37, Appelt).

Regarding claim 40, Davis/Appelt combination further discloses the message sending logic to process results and formulate a response to the request message (see col. 11, lines 14-37, Appelt).

Regarding claim 41, Davis/Appelt combination further discloses the response is placed in a format appropriate for the user's display device (see col. 11, lines 26-37, steps 406, 408 and corresponding text, Appelt).

Regarding claim 42, Davis/Appelt combination further discloses a communication unit to send the response to a destination specified in the original request message (see Fig.6 and corresponding text, Appelt).

Regarding claim 43, Davis/Appelt combination further discloses a list of connector files to invoke various actions, a connector file having an access list assigning to individual users or groups access to particular connectors (Fig.7-8 and corresponding text, Appelt). The text input text (500, Fig.7) corresponds to the access control to the database of hyperlinks that corresponds to the connectors.

Regarding claim 44, Davis/Appelt combination further discloses a communication unit to update the connectors resident on the server and on the user's system (see col. 2, lines 30-41, Davis).



Regarding claim 45, Davis/Appelt combination further discloses the connectors are downloaded from a central connector catalog (see col.2, lines 5-29, Davis). Please note that the program guide contents corresponds to the connectors.

Regarding claim 46, Davis/Appelt combination further discloses the individual user may add aliases for keywords, which aliases are subsequently operative as keywords for that user (see col.8, lines 8-20, Appelt).

Claims 47-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (US Patent no. 6,408,272) in view of Appelt et al. (US Patent no. 6,601,026).

Regarding claims 47 and 53, White discloses a messaging system comprising:

- a database of keywords, each keyword having an associated action, each keyword user-customizable (see col. 12, lines 14-37, White).
- a user interface to receive a user input including a message (see abstract and col.2, lines 9-52, White).
- A parser to detect the one or more keywords in the message (see col.2, lines 18-25 and 4552, White). White teaches the step of scanning the input and extracting from the input. Therefore, The parser must be presented therein for parsing to detect the keyword in the message.

White, however, does not explicitly disclose the “message unit” and “communication unit”. Appelt, on the other hand, discloses a natural language information querying system that perform the topical searches beyond the exact words entered by the user (see col. 3, lines 47-56, Appelt) which corresponds to the message unit. In light of the Specification on page 9, “a message unit to assemble a request message” reads on the fact that the keywords or words input

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by the user input are used to form the request. Therefore, Appelt discloses the message unit base on the definition of the invention. Appelt further discloses a communication engine (112, Fig.1, Appelt) corresponds to the communication unit. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Davis as taught by Appelt to include the “message unit” and “communication unit” because it would provide an accurate and efficient search engine to support complex types of input queries (see col.3, lines 58-62, Appelt).

Regarding claim 48, White/Appelt combination further discloses a central database of connectors, each connector associated with a keyword, users downloading the connectors from the central database; a user interface to enable a user to edit, add, and delete keywords associated with downloaded connectors (see col. 3, lines 25-35 and col. 12, lines 33-54, White).

Regarding claim 49, White discloses a server comprising:

- a database connectors, each connector associated with a keywords, the connectors downloadable by a user (see col. 3, lines 25-35 and col. 12, lines 33-54, White). The data file from the news sources or databases are connectors that are downloadable by the remote users.
- A message receiving unit to receive a request message form a user (see col. 2, lines 11-36, White). The input device corresponds to the message receiving unit.
- An action logic to execute one or more actions triggered by the keywords in the request message (see col.10, lines 31-35; col.12, lines 34-37, White).

White, however, does not explicitly disclose the “communication unit”. Appelt, on the other hand, discloses a natural language information querying system including a communication engine (112, Fig.1, Appelt) corresponds to the communication unit. It would have been obvious

to one of ordinary skill in the art at the time of the invention to modify Davis as taught by Appelt to include the “message unit” and “communication unit” because it would provide an accurate and efficient search engine to support complex types of input queries (see col.3, lines 58-62, Appelt).

Regarding claim 50, White/Appelt combination further discloses an access control mechanism to the database of connectors, restricting access to connectors by user (Fig. 7-8 and corresponding text, Appelt). The text input text (500, Fig. 7) corresponds to the access control to the database of hyperlinks that corresponds to the connectors.

Regarding claim 51, White/Appelt combination further discloses a parser to detect the one or more keywords in the request message (see col.2, lines 18-25 and 4552, White). White teaches the step of scanning the input and extracting from the input. Therefore, The parser must be presented therein for parsing to detect the keyword in the message.

Regarding claim 52, White/Appelt combination further discloses that the action logic executes one or more of the following actions: posting information to a database, querying a database, querying a web page, combining fetched information with data contained in the message received from the user’s system, and depositing the result into one or more destinations (see col. 11, lines 14-37, Appelt).

Regarding claim 54, White/Appelt combination further discloses the additional information comprises information extracted from the user’s system (see col.10, lines 21-29, Appelt).

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Regarding claim 55, White/Appelt combination further discloses that the additional information comprises context information obtained from the client portion of the system, such as: location and time of day (see col. 7, lines 24-32, Appelt).


Regarding claim 56, White/Appelt combination further discloses an action logic to execute one or more actions triggered by the keywords in the request message (see col.10, lines 31-35; col.12, lines 34-37, White).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B Thai whose telephone number is 703-305-4883. The examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Hanh Thai   
Art Unit 2171  
March 18, 2004

  
**UYEN LE**  
**PRIMARY EXAMINER**